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EXAMINER

LO, LINUS H

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 11/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/418,822

Applicant(s)

ICHIFUJI ET AL.

Examiner

Linus H Lo

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10/16/2002, amendment and RCE.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 12-18 and 20-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-18, and 20-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 16, 2002 has been entered.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 12, 14-16, 18, 20, and 24-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawler et al. '838 in view of Noguchi et al. '345( both of Record) .

Considering claim 12(Three Times Amended) Lawler et al. discloses a program time guide for an interactive system. Lawler et al. disclose the following claimed limitations:

Art Unit: 2614

- 1) the claimed digital broadcasting receiver which displays video or a plurality of character information strings of programs when receiving digital broadcasting is met by the viewer stations 16 (column 5, lines 7-28, and column 6, lines 41-53, and FIG. 3);
- 2) the claimed omission display controller which omits a part of a character information string of a particular program when a number of characters in the character information string of the particular program is larger than a number of characters which can be displayed in a first prescribed zone is met by the description of interactive station controller 18 (column 8, lines 24-26 and 46-54, FIG. 3) where FIG. 3 depicted an program title with the abbreviated title with a string of period “...” to indicate the abbreviation of the title which is considered as the omission; and
- 3) a full display controller which displays, in response to a predetermined selection, an entirety of the *character information string of the particular program in a second prescribed zone* as described by the interactive station controller 18 (column 8, lines 24-26 and column 10, 16-41, and FIG. 3), where the described focus frame 102 is considered as the predetermined selection and the described program summary panel 108 includes the full title of the program 112 which is considered as the an entirety of the character information string of the program form which part omitted in a second prescribed zone.

However, Lawler et al. does not explicitly disclose the claimed full display controller which displays an entirety of the character information string of the particular program in a second prescribed zone **and an entirety program start time and a program end time of the particular program in the second prescribed zone.**

Art Unit: 2614

Nevertheless, Noguchi et al. discloses a method and apparatus for providing station and programming information in a multiple station broadcast system. Noguchi et al. discloses the claimed full display controller which is met by the CPU of the Integrated receiver/decoder as depicted in Fig. 3 and the description at column 4, lines 6-22, and column 5, lines 19-43 and description of Fig. 8 at column 7, lines 18-32, in which Fig. 8 depicts that the current start and end time of the broadcasted program is displayed in the program description area 830 (second zone).

Noguchi et al. teaches the advantage of presenting an additional textual information about many different programs and stations that does not required entering and exiting the guide repeatedly as described at column 11, lines 44-50.

Therefore, it is submitted that it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Lawler system with the teaching of Noguchi et al. accordingly for the stated advantage.

Considering claim 14, the claimed select controller which select the character information string of the particular program from the plurality of character information strings of the programs is met by input device (column 10, lines 57-66, and 22-36, and FIG. 3), where the selected program by the focus frame would further render the program summary panel as depicted in FIG. 3 that consists the plurality of character information strings of the programs.

Consider claim 15, the claimed omission display controller adds an omission symbol to a remaining part of the character information string of the particular program from which a

Art Unit: 2614

part was omitted when displaying the remaining part of the character information string of the program from which a part was omitted in the first prescribed zone is met by controller 18 (column 8, lines 24-26 and 46-54, FIG. 3) where FIG. 3 depicted an program title with the abbreviated title with a string of period “...”(omission symbol) to indicate the abbreviated title.

Considering claim 16( Twice Amended), Lawler et al. discloses a program time guide for an interactive system. Lawler et al. discloses the following claimed limitations, note :

- 1) the claimed digital broadcasting receiver which displays video or a plurality of background information block indicative of program time when receiving digital broadcasting is met by the viewer stations 16 (column 5, lines 7-28, and column 6, lines 41-53, and FIG. 3);
- 2) the claimed display change controller which change a background information block indicative of program time when the background information block indicative of program time cannot be displayed in full in a first prescribed zone is met by the description of interactive station controller 18 (column 8, lines 24-26 and 46-54, FIG. 3) where FIG. 3 depicted an program tile 88 with the abbreviated title with a string of period “...” to indicate the abbreviation of the title which is considered as the background information block indicative of program time cannot be displayed, while the program tile 88a which depicted the background information block indicative of program time be able displayed in full in a particular prescribed zone; and

Art Unit: 2614

- 3) a full display controller which displays , in response to a predetermined selection , full program information of the changed background information block indicative of program time in a second prescribed zone is met the interactive station controller 18 ( column 8, lines 24-26 and column 10, 16-41, and FIG. 3), where the described focus frame 102 is considered as the predetermined selection and the described program summary panel 108 includes the full title of the program 112 which is considered as the full program ~~time~~ information of the changed background information block indicative of program time in a second prescribed zone.

However, Lawler et al. does not explicitly teach the claimed full display controller which displays , in response to a predetermined selection , **full program time information** of the changed background information block indicative of program time in a second prescribed zone **for any program selected from programs currently being broadcast and programs not currently being broadcast , wherein the second prescribed zone is constantly displayed at a fixed position.**

Nonetheless , Noguchi et al. discloses a method and apparatus for providing station and programming information in a multiple station broadcast system. Noguchi et al. discloses the claimed full display controller which is met by the CPU of the Integrated receiver/decoder as depicted in Fig. 3 and the description at column 4, lines 6-22, and column 5, lines 19-43 and description of Fig. 8 and Fig. 9 at column 7, lines 18-32, in which Fig. 8 depicts that the program time information 835 for both the currently broadcast and not currently broadcast program which are displayed in the program description area 830 as the second prescribed zone at a fixed position.) It is noted the excerpt from column 7 describes that the highlight

Art Unit: 2614

pointer 845 operable by the arrow direction buttons , including left and right direction( Fig. 4). The excerpt from lines 18-25 of column 7 additional teaches that a highlight of 825 indicating the location of the pointer pointed as, and a program description 830 and program time are being displayed in according to the program pointer is located which immanently encompassed both the currently and not currently broadcasting programs.

Noguchi et al. teaches the advantage of presenting an additional textual information about many different programs and stations that does not required entering and exiting the guide repeatedly as described at column 11, lines 44-50 .

Therefore, it is submitted that it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Lawler system with the teaching of Noguchi et al. accordingly for the stated advantage.

Considering claim 18 , the claimed select controller which select a background information block indicative of program time from the plurality of background information block indicative of program time is met by input device of Lawler et al. (column 10, lines 57-66, and 22-36, and FIG. 3), where the selected program by the focus frame would further render the program summary panel as depicted in FIG. 3 that consists the plurality of character information strings of the programs.



Art Unit: 2614

Considering claim 20 , the claimed limitation of wherein the character information string of the particular program is a title of the particular program is met by the full title of program 112 ( Fig. 3 and column 10, ones 28-36) of Lawler et al..

Considering claim 24 and 27, the claimed limitation of “neither the second prescribed zone nor the third prescribed zone overlaps any part of the first prescribed zone” is met by the description of Noguchi et al. of Fig. 15, where current time of the broadcast 1514 and the detail description of the selected program 1520 block (column 11, lines 39-43) are displayed without overlaps the first prescribed zone (program guide listing)and further with obvious discussion as in claims 12 and 16, respectively.

Considering claims 25 and 26 , the claimed limitation of “wherein the second prescribed zone is constantly displayed at a first fixed position; and wherein the third prescribed zone is constantly displayed at a second fixed position different from the first fixed position” and “wherein neither the second prescribed zone nor the third prescribed zone overlaps any part of the first prescribed zone” is met by the description of Noguchi et al. of Fig. 15, where current time of the broadcast 1514 and the detail description of the selected program 1520 block (column 11, lines 39-43) are displayed constant displayed at their fixed position without overlaps the first prescribed zone (program guide listing)and further with obvious discussion as in claim 12.

Art Unit: 2614

Considering claim 28 , the claimed limitation of “ wherein the full display controller further displays, in response to the predetermined selection, an entirety of a character information string of a program associated with the changed background information block in a third prescribed zone outside the second prescribed zone; wherein the second prescribed zone is constantly displayed at a second fixed position different from the first fixed position is met by the description of Noguchi et al. of Fig. 15, where current time of the broadcast 1514 (second prescribed zone) and the detail description of the selected program 1520 block(third prescribed zone) (column 11, lines 39-43) are displayed constant displayed at their fixed position without overlaps the first prescribed zone (program guide listing)and further with obvious discussion as in claim 16.

Considering claim 29, the claimed limitation of wherein neither the second prescribed zone nor the third prescribed zone overlaps any part of the first prescribed zone is met by the description of Noguchi et al. of Fig. 15, where current time of the broadcast 1514 and the detail description of the selected program 1520 block (column 11, lines 39-43) are displayed without overlaps the first prescribed zone (program guide listing)and further with obvious discussion as in claims 16.

4. Claims 21, 23,30 31, 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alten et al '978 in view of Noguchi et al. '345(All of Record)

Considering claim 21(Twice Amended), Alten et al. discloses an electronic television program guide channel system and method. Alten et al. discloses the following claimed limitations, note :

- 1) the claimed digital broadcasting receiver which displays video or plurality of background information blocks each indicative of a program time period when receiving digital broadcasting is met by cable converter box 200 ( column 14, lines 5-62, and Fig. 12 and 7c), and Fig. 7c depicts program guide grids indicative of a program time period which is displayed;
- 2) the claimed display controller which changes a displayed shape of a particular background information block indicative of a program time period when the program time period indicated by the particular background information block exceeds a program time period which can be displayed in a first prescribed zone is met by description at column 8, line 53 - column 9, line 6, and column 14, lines 5-15, where the described grid box is formed into an arrow pointing which is considered as the changing of a displayed shape of a particular background information block;

However, Alten et al. does not explicitly disclose the claimed full display controller which display, in response to a predetermined selection, **a program start time and a program end time** of the program time period indicated by the particular background information block in a second prescribed zone; **wherein the second prescribed zone is constantly displayed at a fixed position.**

Nonetheless , Noguchi et al. discloses a method and apparatus for providing station and programming information in a multiple station broadcast system. Noguchi et al. discloses the

Art Unit: 2614

claimed full display controller which is met by the CPU of the Integrated receiver/decoder as depicted in Fig. 3 and the description at column 4, lines 6-22, and column 5, lines 19-43 and description of Fig. 8 and Fig. 9 at column 7, lines 18-32, in which Fig. 8 depicts that the program time information 835 for both the currently broadcast and not currently broadcast program which are displayed in the program description area 830 as the second prescribed zone at a fixed position. It is noted the excerpt from column 7 describes that the highlight pointer 845 operable by the arrow direction buttons, including left and right direction (Fig. 4). The excerpt from lines 18-25 of column 7 additionally teaches that a highlight of 825 indicating the location of the pointer pointed at, and a program description 830 and program time are being displayed in accordance to the program pointer is located which immanently encompassed both the currently and not currently broadcasting programs.

Noguchi et al. teaches the advantage of presenting an additional textual information about many different programs and stations that does not require the entering and exiting the guide repeatedly as described at column 11, lines 44-50.

Therefore, it is submitted that it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Lawler system with the teaching of Noguchi et al. accordingly for the stated advantage.

Considering claim 23, the claimed select controller which selects the particular background information block from the plurality of background information blocks is met by IR remote control device (column 15, lines 7-12) of Alten et al..

Art Unit: 2614

Considering claim 30, the claimed limitation of wherein neither the second prescribed zone nor the third prescribed zone overlaps any part of the first prescribed zone is met by the description of Noguchi et al. of Fig. 15, where current time of the broadcast 1514 and the detail description of the selected program 1520 block (column 11, lines 39-43) are displayed without overlaps the first prescribed zone (program guide listing) and further with obvious discussion as in claims 21.

Considering claim 31, the claimed limitation of “ wherein the full display controller further displays, in response to the predetermined selection, an entirety of a character information string of a program associated with the changed background information block in a third prescribed zone outside the second prescribed zone; wherein the second prescribed zone is constantly displayed at a second fixed position different from the first fixed position is met by the description of Noguchi et al. of Fig. 15, where the current time of the broadcast 1514 (second prescribed zone) and the detail description of the selected program 1520 block (third prescribed zone) (column 11, lines 39-43) are displayed constant displayed at their fixed position without overlaps the first prescribed zone (program guide listing) and further with obvious discussion as in claim 21.

Considering claim 32, the claimed limitation of wherein neither the second prescribed zone nor the third prescribed zone overlaps any part of the first prescribed zone is met by the description of Noguchi et al. of Fig. 15, where current time of the broadcast 1514 and the detail description of the selected program 1520 block (column 11, lines 39-43) are displayed

Art Unit: 2614

without overlaps the first prescribed zone (program guide listing) and further with obvious discussion as in claims 21.

5. Claims 13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawler et al. and Noguchi et al. as applied to claims 12 and 16, respectively above, and further in view of Chang et al. '563 (all of Record).

Considering claims 13 and 17, the system of Lawler et al. and Noguchi et al. discloses all the claimed limitations except for the claimed judge controller which judges whether a number of characters in the character information string of the particular program is larger than the number of character which can be displayed in the first prescribed zone.

However, Lawler et al. teaches the selectively displaying the character information in full or in abbreviated in the first prescribed zone as depicted in FIG. 3 and column 8, lines 46-54, where tile 88 display the omitted part of character information string and while tile 88a display a full character information string.

Nevertheless, Chang et al. discloses the claimed judge controller that is met by the description at column 3, lines 37-42 and column 6, lines 18-39 and FIG. 8C, where the description at column 6 elucidated the function of judging whether a number of characters in the character information string of the particular program is larger than the number of character which can be displayed in the first prescribed zone. Chang et al. further demonstrates that

Art Unit: 2614

the judge controller for display either the full character sting or truncated character sting in the grid formatted graphical user interface are usually facilitated as discussed above.

The examiner submitted that it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the system of Lawler et al. and Noguchi et al. using the judge controller as taught by Chang et al. in order to facilitated function of judging the number of character in the information string for properly display the adequate number of characters without abruptly truncation the listed program title.

6. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alten et al. '978 and Noguchi et al. '345 as applied to claim 21 above, and further in view of Chang et al.(all of record).

Considering claim 22, the system of Alten et al. and Noguchi et al. discloses all the claimed limitations except for the claimed judge controller which judges whether a number of characters in the character information string of the particular program is larger than the number of character which can be displayed in the first prescribed zone.

Nonetheless, Chang et al. discloses the claimed judge controller that is met by the description at column 3, lines 37-42 and column 6, lines 18-39 and FIG. 8C, where the description at column 6 elucidated the function of judging whether a number of characters in the character information string of the particular program is larger than the number of character which can be displayed in the first prescribed zone. Chang et al. further demonstrates that

Art Unit: 2614

the judge controller for display either the full character sting or truncated character sting in the grid formatted graphical user interface are usually facilitated as discussed above.

The examiner submitted that it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the system of Alten et al. and Noguchi et al. using the judge controller as taught by Chang et al. in order to facilitated function of judging the number of character in the information string for properly display the adequate number of characters without abruptly truncation the listed program title.

### ***Response to Arguments***

7. Applicant's arguments with respect to claims 12, 16, 21 have been considered but are moot in view of the above art rejection.

After further consideration , it is deemed the combination of Lawler and Noguchi , and the combination of Alten et and Noguchi are still applicable to the amended claims. Thus a new ground of rejection based on the original art's combination are presented. Please see the above new ground of rejection.



Art Unit: 2614

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linus H. Lo whose telephone number is (703) 305-4039.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller, can be reached at (703) 305-4795.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**


**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

lhl LL

November 15, 2002

  
**JOHN MILLER**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**